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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	ATTORNEY DOCKET NO. CONFIRMATION NO.		
10/810,070		03/25/2004	Sudhanshu Misra	577182000100	577182000100 3538		
25226	7590	11/07/2005		EXAM	EXAMINER		
MORRISO	N & FOI	ERSTER LLP	RACHUBA, 1	RACHUBA, MAURINA T			
	755 PAGE MILL RD PALO ALTO, CA 94304-1018			ART UNIT	PAPER NUMBER		
	·, ·			3723			

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   MISRA ET AL.				Thin					
### Disposition of Claims  ### Office Action Summary  ### Disposition of Papers  ### Disposition of Claims  ### Disposition of Claims  ### Disposition of Claims  ### Disposition of Claims  ### Disposition of Sizer are believed to by the Examiner.  ### Office Action Papers  ### Disposition is objected to by the Examiner.  ### Disposition is objected to by the Examiner.  ### Disposition of Space and Disposition is objected to by the Examiner.  #### Disposition of Papers  ### Disposition of Space and Disposition is objected to by the Examiner.  #### Disposition of Papers  #### Disposition of Space and Disposition is objected to by the Examiner.  #### Disposition of Papers  #### Disposition of Space and Disposition is objected to by the Examiner.  #### Disposition of Claims  ####		Application No.	Applicant(s)	<u></u>					
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Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Education of the may be a senilate under the provisions of 37 CR 1.136(n), in or worth, however, may a reply be termly fixed after 51X (b) MONTHS from the mailing date of this communication.  I HO period the may be a senilate under the provisions of 37 CR 1.136(n), in or worth, however, may a reply be termly fixed after 51X (b) MONTHS from the mailing date of this communication.  I HO period termly be specified under the provisions of 37 CR 1.136(n), in or worth, however, may a reply be termly fixed after 51X (b) MONTHS from the mailing date of this communication.  I HO period termly be specified to the fixed the mailing date of this communication, were if timely fixed, may reduce any camer patient the adjustment. See 37 CFR 1.70(4).  Status  1) Responsive to communication(s) filled on	Office Action Summary	Examiner	Art Unit	····					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extension is Modiffred from an internal fine of this communication.  - If No period to regily is specified above, the maximum state of this communication.  - If No period to regily is specified above, the maximum states of period will pay and will expire 3x (6) MONTHS from the making date of this communication.  - If No period to regily is specified above, the maximum states operiod will pay and will expire 3x (6) MONTHS from the making date of this communication.  - If No period to regily is specified above, the maximum states operiod will pay and will expire 3x (6) MONTHS from the making date of this communication, expire 1 (may) filed, may reduce any search and patent term adjustment. See 37 CFR 1.704(b).  - Status  - Important term adjustment see and search and search and search and payed and search and sea									
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1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s)	A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING I - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statur Any reply received by the Office later than three months after the mailing	DATE OF THIS COMMUNICATIO .136(a). In no event, however, may a reply be to d will apply and will expire SIX (6) MONTHS from the, cause the application to become ABANDON	ON. timely filed m the mailing date of this commi IED (35 U.S.C. § 133).						
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Paper No(s)/Mail Date 6) [_] Other:	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08	□ · · · · · · · · · ·		2)					

Application/Control Number: 10/810,070

**Art Unit: 3723** 

## **DETAILED ACTION**

1. This application contains claims directed to the following patentably distinct species of the claimed invention: species 1, selecting a value based on characteristics of structures on the substrate; species 2, performing a simulation of planarization of the wafer using characteristics of the chip and a range of values for the properties of the pad; species 3, compensating for pattern density effects.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the

Application/Control Number: 10/810,070

Art Unit: 3723

case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Rachuba whose telephone number is 571-272-4493. The examiner can normally be reached on Monday-Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Page 4

Application/Control Number: 10/810,070

Art Unit: 3723

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M Rachuba Primary Examiner Art Unit 3723